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Report of the Governor of Dakota, 1886

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REPORT
OF THE
GOVERNOR OF DAKOTA.

EXECUTIVE OFFICE,
Bismarck, Dak., October 1, 1886.

HON. L. Q. C. LAMAR,
Secretary of the Interior,
Washington, D. C.:

SIR: In compliance with the request contained in your letter of August 5, I have the honor to submit the following report of the growth and development of the Territory of Dakota for the year ending June 30, 1886:

The year has not been altogether as prosperous as was desired, Dakota suffering in common with the rest of the country from more or less business prostration and from the drought, which injured the smaller grains, thereby materially lessening the yield.

The drought was not general, but local in its character, some parts of the Territory showing large yields, while in others the failure was almost complete. Indeed, it is not unusual to find farms in the same county showing strikingly dissimilar results, one with its grain a practical failure, the other showing a full average production. It is difficult to estimate correctly the shortage in the crops over last year, but I think it safe to say that in wheat and oats it will be at least one-third; I fear more. Flax, rye, and barley also suffer, but to what extent it is impossible to say. The yield of potatoes and other roots will probably be nearly up to the average, though the later indications are not so favorable as to make me sanguine.

Notwithstanding this failure of important cereals there is less disappointment than would naturally be expected. This is explained somewhat by the fact that farmers have given much attention to cattle raising of late years, and have that product to fall back upon when grain is a loss. This industry has developed very rapidly in all parts of the Territory. In the older counties of South Dakota the farmers have long been accustomed to keeping a limited number of cows and beef cattle. But it was supposed the large cattle ranches must be confined to the western part of the Territory, where the abundant grasses and limited snowfall enabled cattle to graze during the winter months. Late experiments have demonstrated, however, that cattle raising can be profitably pursued even in the extreme northern part of the Territory,

and the result has been the establishment of large cattle ranches in various sections, while there are few farmers in any part of the Territory who have not herds of greater or less size. This is a very encouraging feature of agricultural development, and one that is particularly fortunate in a year when the products on which farmers have been accustomed to largely rely prove a partial failure.

TERRITORIAL DEBT.

The bonded debt of the Territory remains the same as given in my report of one year ago, namely, \$568,200.

The assessment of 1886 shows an increase over 1885 of about \$24,000,000, making the total assessment for this year in round numbers \$130,000,000. The tax levied for Territorial purposes has been decreased from year to year, until for 1886 it is but 2.4 mills.

Under the recent act of Congress limiting Territorial indebtedness, the Territory is prohibited from contracting a debt exceeding 1 per cent. of its assessed valuation. It will be seen, therefore, that the debt of Dakota Territory does not yet amount to half of the maximum limit fixed by the law in question. This indebtedness, even under the most liberal expenditure, is not likely to reach a much greater sum, and I again take occasion to point to the fact that the bonds of the Territory are certainly among the best securities offered in the market. Some of these bonds can be redeemed under the option of the Territory during the coming year, and the condition of the treasury is such that a large amount of them will be paid, unless the holders show a willingness to refund them at a lower rate of interest.

The action of Congress in passing a law restricting Territorial and municipal indebtedness, and prohibiting special legislation, was a great relief to me, and will certainly prove of great benefit to the Territory. I had occasion in my last report to call the attention of the honorable Secretary of the Interior to the need of some such legislation, and have been very much gratified at the action of Congress in regard thereto. In some communities and towns the restriction proves a temporary embarrassment, but the advantages will be felt hereafter, and the wisdom of the law fully vindicated. Indeed, I can conceive of no action by the National Legislature so conducive to the welfare, reputation, and ultimate prosperity of the Territories of the United States as this wise prohibition which serves as a constitutional barrier against extravagance and that vicious special legislation so liable to enter into the government of new countries.

The total county indebtedness of the Territory, bonded and floating, is a little over three millions of dollars.

TERRITORIAL INSTITUTIONS.

As I have remarked in former reports, the Territory is well supplied with penal, benevolent, and educational institutions. It has two penitentiaries, two hospitals for the insane, two normal schools, two universities, one agricultural college, and one school for the deaf and dumb. These are not mere paper institutions, but have been substantially built by the Territory at an aggregate cost of nearly \$600,000. The attendance at the educational institutions varies from fifty to two hundred students, and the schools for the most part are efficiently governed and praiseworthy conducted. I submit herewith extracts from the last

report of Hon. A. Sheridan Jones, superintendent of public instruction, which gives a fair idea of the progress made in the educational interests of the Territory. Statistics for the year ending June 30, 1886, have not yet been received, but there is no doubt but that the remarkable progress shown between '84 and '85 is continued between the last-named year and that ending June 30, 1886.

The superintendent says:

The following summary of statistics of the public schools of Dakota Territory is for the school year beginning July 1, 1884, and ending June 30, 1885. When compared with the summary of statistics presented in the annual report from this office of 1884, it should be remembered that this report embraces a period of twelve months, and that the report for 1884 embraces a period of fifteen months:

SUMMARY.

	North Dakota.	South Dakota.	Dakota.
Number of counties reporting.....	28	48	76
Number of school townships organized.....	225	556	781
Number of school districts organized.....	426	636	1,062
Number of persons June 1, 1885, over 7 and under 20 years.....	26,760	60,803	87,563
Pupils enrolled in public schools.....	19,725	49,350	69,075
Percentage of attendance of those enrolled.....	63	63	63
Percentage of children of school age attending school.....	71	81	79
Average cost of tuition per month for each pupil.....	\$2 70	\$2 12	\$2 28
Number of teachers employed, males.....	282	1,002	1,284
Number of teachers employed, females.....	864	1,997	2,861
Number of teachers employed, total.....	1,146	2,999	4,145
Average pay of teachers per month, males.....	\$44 43	\$32 03	\$38 23
Average pay of teachers per month, females.....	\$34 09	\$28 49	\$31 29
Number of schools, graded.....	91	200	291
Number of schools, ungraded.....	804	2,184	2,988
Number of schools, total.....	895	2,384	3,279
Average number of days school was taught.....	104	94	99
School-houses built during the year.....	217	698	895
Whole number of school-houses, graded.....	38	78	116
Whole number of school-houses, ungraded.....	714	1,915	2,629
Population to each school-house.....	202	132	151
Sittings in school-houses.....	26,183	64,044	90,227
Value of permanent school property.....	\$1,008,586	\$1,179,264	\$2,187,850
Certificates issued in school year, first grade.....			398
Certificates issued in school year, second grade.....			836
Certificates issued in school year, third grade.....			1,161
Certificates issued in school year, probation grade.....			486
Certificates issued in school year, total.....			2,901
Number of applicants rejected.....			404
County institute fees received.....			\$2,961 00
Same remaining on hand.....			2,521 54
Number of different schools visited by county superintendents.....			2,408
Whole number of visitations.....			3,360
County institutes held.....			38
Sessions of county teachers' associations.....			116
Sessions of Territorial teachers' associations.....			2
Amount paid and due school officers for services and expenses.....	\$6,101 61	\$7,651 80	\$13,769 41
Amount paid and due to county superintendents.....	14,708 09	22,944 53	37,652 62
Par value of school bonds outstanding.....	541,535 61	1,121,040 16	1,662,581 77
Amount of school warrants outstanding.....	174,419 85	179,208 80	353,628 65

RECEIPTS.

Cash on hand July 1, 1884.....	\$125,938 68	\$136,615 56	\$262,554 24
Received into special fund from all sources.....	258,027 30	412,533 09	670,560 39
Received from county apportionments.....	150,681 45	209,697 92	360,379 37
Received from sale of bonds.....	196,923 14	431,802 57	628,725 71
Received from county bonds, &c.....	14,854 58	23,237 50	38,092 08
Received from appropriations, &c.....	48,700 00	132,725 00	181,425 00
Total receipts to June 30, 1885.....	815,423 50	1,326,333 20	2,141,756 79

EXPENDITURES.

	North Dakota.	South Dakota.	Dakota.
For school-houses, sites, and appendages	\$227, 287 68	\$467, 372 16	\$694, 659 84
For teachers' wages	184, 192 09	315, 889 17	500, 081 26
For incidental expenses	69, 769 15	119, 022 28	182, 791 43
As interest on bonds	52, 879 91	88, 368 62	141, 188 53
For purposes not before included	85, 022 99	40, 951 87	75, 974 28
Total common school expenditures	475, 238 98	1, 119, 464 34	1, 504, 685 22
Paid county superintendents by counties	14, 708 09	22, 944 53	37, 652 62
Expended by counties for institutes	146 49	292 97	439 46
University, Vermillion		39, 400 00	
University, Grand Forks	48, 700 00		
Agricultural College, Brookings		33, 700 00	
Normal School, Madison		23, 600 00	
Normal School, Spearfish		2, 500 00	
Deaf Mute Institute, Sioux Falls		16, 000 00	
School of Mines, Rapid City		12, 750 00	
Salary of superintendent of public instruction	500 00	1, 000 00	1, 500 00
Expenses of his office	500 00	1, 000 00	1, 500 00
Salary of assistant superintendent of public instruction	333 33	666 67	1, 000 00
Expenses of his office	33 33	66 67	100 00
Total expenditures	540, 430 22	1, 273, 782 18	1, 814, 212 41
Balance cash on hand	182, 246 96	145, 297 43	327, 544 39
Total to balance receipts	722, 677 18	1, 419, 079 61	2, 141, 756 80

A COMPARATIVE VIEW.

The foregoing summary presents an array of facts which are almost incredible. The report of the Territorial superintendent for the year ending June 30, 1884, presented such evidence of great development in our educational work that it was everywhere conceded to be without a parallel, and for a favorable comparison we are even now compelled to turn to our own history which follows that year. During the year ending June 30, 1884, Dakota led quite a number of the American States in the amount of expenditures for public school purposes; but the year 1885 puts her ahead of all the States named in the following list, to wit: Arkansas, Colorado, Connecticut, Delaware, New Hampshire, Rhode Island, West Virginia, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, Vermont, Maine, Maryland, Mississippi, Nevada, Oregon, Tennessee, Virginia, Texas.

It will be seen that twenty-two of the great States of the Union are led by Dakota Territory in expenditures made for the support of public schools, and many of these States do not expend half the amount paid by Dakota. Thirteen of them, to wit: Arkansas, California, Colorado, Connecticut, Delaware, Florida, Louisiana, Maryland, Nevada, New Hampshire, Oregon, Rhode Island, and Vermont, have a less number of public schools than are supported in this Territory.

In Dakota the population to each school-house is 151, and compared with the following States it will be seen that their facilities for educating their youth are not equal to those of our Territory, the figures given indicating the population to each school-house in each of the States mentioned:

Dakota, 151; Missouri, 247; Colorado, 370; Kansas, 156; Kentucky, 252; Connecticut, 375; New Hampshire, 156; Ohio, 255; New York, 426; Minnesota, 167; Illinois, 256; North Carolina, 544; Indiana, 204; South Carolina, 305; Arkansas, 552; Wisconsin, 221; Pennsylvania, 323; New Jersey, 714; Florida, 232; Tennessee, 326; Texas, 1,106; Michigan, 232.

The population to each school-house in that part of the Territory lying south of the forty-sixth parallel, commonly known as South Dakota, is 132, while North Dakota has a school-house for each 202 of her population, leading all the above-named States except four. South Dakota takes her place in the van of nearly all the States of the Union in this important particular.

Dakota's showing in educational matters is not in any sense of a superficial character, as her permanent school property last June was valued at \$2,187,850, being greater than the value of the permanent school property of fifteen of the United States. Dakota employed 4,145 teachers during the year covered by this report, fourteen of the States employing a less number during the same year. The teachers' profession is becoming an important one in the Territory. The wages paid are very good when considered in comparison with those paid in most other parts of the Union. The average monthly salary for the year ending June 30, 1884, was \$34.76; sixteen of the States paying a smaller average, some of them ranging as low as from \$21 to \$24.

Thirteen of the States pay as teachers' salaries a less sum than was paid in Dakota during the twelve months ending June 30, 1885; this expense alone, here, amounting to over five hundred thousand dollars during that year.

The great number of school-houses to the population in this Territory is one of the secrets of her sudden educational success. It gives the children a less distance to travel, and enables them to attend school with punctuality, which would be quite impossible over a much larger area in this new country. This would seem to impose a heavy burden upon the inhabitants, but it is one which is most willingly borne by them, as will be seen by the fact that the taxes for this purpose are raised voluntarily, and are mostly levied annually by the people or their direct representatives. The people do not expect to secure great success without corresponding efforts and proportionate sacrifices. During the year covered by this report 79 per cent. of the school population of the Territory attended school. There are thirty-four of the United States, in each of which the percentage of attendance was less than that in Dakota for this year.

Exhibit of growth.

	1875.	1876.	1877.	1878.	1879.
Youth of school age (5-21)	8,343	10,396	11,046	12,201	18,535
Enrolled in public schools	4,428	5,410	6,431	7,156	9,822
Average daily attendance				1,342	4,618
Organized districts	296	328	369	401	
Schools or school rooms	221	215			
Graded schools			5	14	
Ungraded schools			235	273	
Average term, in days			75.6		97
Value of school property	\$24,926	\$48,333	\$37,037	\$60,319	\$133,952
Men teaching	54	85	100	141	210
Women teaching	154	181	154	189	254
Whole number of teachers	208	266	254	330	464
Average monthly pay of men	\$35			\$37 16	\$36
Average monthly pay of women	\$25			\$28 54	\$25
Receipts for school purposes	\$32,603	\$52,008	\$37,668	\$72,950	\$81,642
Expenditures for public schools	\$32,603	\$50,002	\$37,668	\$59,793	\$75,959

	1880.	1882.	1883.	1884 (15 months).	1885 (12 months).
Youth of school age (5-21)	39,742	50,000	*56,476	*77,499	*87,563
Enrolled in public schools	13,718	25,461	33,988	50,031	69,075
Average daily attendance	8,530		20,560	32,520	43,517
Organized districts		1,255	1,644	1,607	†1,843
Schools or school rooms	580	1,022	1,507	2,137	3,279
Graded schools		41	51	69	116
Ungraded schools			1,356	1,930	2,988
Average term, in days			93	101	99
Value of school property	\$214,760	\$532,267	\$937,764	\$1,689,658	\$2,187,850
Men teaching	212	346	461	863	1,284
Women teaching	308	687	1,056	2,048	2,861
Whole number of teachers	520	1,033	1,517	2,911	4,145
Average monthly pay of men	\$32 81	\$33	\$39 70	\$38 43	\$38 23
Average monthly pay of women	\$32 81	\$26	\$30 70	\$31 72	\$31 29
Receipts for school purposes	\$255,000	\$343,616	\$630,797	\$1,603,563	\$2,141,756 79
Expenditures for public schools	\$245,000	\$314,484	\$529,837	\$1,306,878	\$1,814,212 40

* School age 7 to 20 years.

† Districts and school townships.

EXHIBIT OF GROWTH.

The foregoing table presents an exhibit of growth in our school system for the ten years last past, no summary for 1881 being found. A glance at this table will be sufficient to show the wonderful progress made during this time; and it will be seen, too, that whatever of progress the Territory has made is mostly embraced in those ten years. There were in 1875, in round numbers, only about 8,000 school children enumerated in the entire Territory, and only 50 per cent. of these attended school. With a trifle over two hundred school-houses, built generally of rude material, most of them being of prairie sods, and with but about \$32,000, all told, expended for the support of this meager number of schools, it clearly appears that at that time Dakota could boast of little more than an infantile condition. The Territory, indeed, was open to settlement, but without railroads the immigrant had but poor encouragement to venture, since the *getting* here was not to him so important a

problem as the *staying* and supporting his family after his arrival, with all the markets hundreds of miles away. Not until 1879 did much progress take place, during which year the number of school children ran up to nearly 40,000, and are so reported in the annual report of the Territorial superintendent for 1880. During the same year about a quarter of a million dollars were expended for school purposes, a startling increase over the amount expended for the preceding year. It was during this year that several lines of railroad were built into the Territory from the east, under the auspices of the Chicago, Milwaukee and Saint Paul and the Chicago and Northwestern Companies.

Southeastern Dakota was in this way made accessible to the western homeseeker, and from that time to the present the building of railroads, the inpouring of immigration, agricultural and other internal improvements, the building of flourishing cities, towns, and rural settlements, have gone hand in hand together, while education has made a most triumphal march, keeping pace with if not leading all else connected with our progress.

One of the objects of educational work is to secure the attendance at school of all children of school age. That this object is being accomplished in Dakota in a great measure is evidenced by the increase in ten years of the percentage of attendance. As stated before, the number of those enrolled compared to the whole number of children of school age in 1875 was about 50 per cent., while this has been increased in ten years to a fraction below 80 per cent., a very flattering proportion for a new or even for an old community, as but four States in the Union exceed this rate.

Sections 119 and 120 of the township school law, approved March 8, 1883, are intended as a compulsory provision, requiring all children between ten and fourteen years of age to attend school at least twelve weeks in each year. As far as I am able to learn, this provision has been ignored, and parents are still allowed to exercise their own discretion, which is often not the best, in regard to sending their children to school. This law seems not to meet with the favor or excite the interest of the people, as it was expected it would, or the percentage of those attending school to the whole number enumerated would be very materially increased. We may not, however, expect perfection in a new country like ours, nor feel disappointed if something is left to be accomplished hereafter.

HIGHER PUBLIC EDUCATION.

There are two universities in Dakota which come under this head, one at Vermillion and one at Grand Forks. There is also one agricultural college situated at Brookings, and two normal schools, one at Madison and one at Spearfish, which might probably have mention here. In addition to these the School of Mines at Rapid City has been established and will soon be in running condition.

The University of Dakota.—This institution is located at Vermillion and is under the presidency of J. R. Herrick, S. T. D., and has a faculty of seven members. Besides the regular university courses, denominated classical, literary, and general science, there have been established preparatory and normal courses, the former leading to the proper university courses and the latter being designed for the special preparation of pupils for the profession of common-school teaching. At present there are 166 pupils enrolled in all departments, and a steady increase reported.

The University of North Dakota.—This institution was established by legislative enactment in February, 1883, and was first opened for the reception of students in September, 1884. Henry Montgomery, M. A., B. Sc., is acting president, and the faculty is composed of six members.

This institution is located at Grand Forks, in the Red River Valley, the building being four stories high and at present 54 by 151 feet upon the ground. It is designed, like the one at Vermillion, to supply the usual university courses, and, like that, has established preparatory and normal departments.

There are about fifty students in attendance, eight of whom are in the freshman year, the remainder being in the preparatory and normal departments.

Both these universities have had an auspicious beginning, considering the newness of the country and the many disadvantages under which they were launched.

The Dakota Agricultural College.—The Agricultural College is located at Brookings, and is under the leadership of George Lilley, A. M., Ph. D., president. The faculty of instruction consists at present of six members, and there are about 240 pupils in attendance in all the departments.

The courses of agriculture and domestic economy, civil engineering, and mechanical engineering are taught, and the literary course, in which prominence is given to science and general literature. The degrees of bachelor of science, bachelor of civil engineering, and bachelor of mechanical engineering are conferred upon graduates of the proper departments.

The School of Mines.—This school is located at Rapid City, in the Black Hills, and the building is not yet finished. It is expected that this school will be opened about the

1st of next August. The courses of study taught will be technical, and confined to such branches as chemistry, metallurgy, geology, mining, milling, engineering, mathematics, mechanics, drawing, the fundamental laws of the United States, and the rights and duties of citizens. This school will be free to all residents of Dakota, which terms apply to all our public institutions.

The State Normal, at Madison.—The "State" Normal, as it is denominated in the act establishing it, is located at Madison, and is doing good work in its special line. It has over 100 pupils in attendance, who are fitting themselves for the teacher's profession. The faculty consists of Charles S. Richardson, president, and five additional professors. Regular lectures are also provided for by persons not members of the faculty. The course of study is divided into the elementary and advanced. A model school has been attached, which is one of the excellent features of the institution.

The Territorial Normal, at Spearfish.—This institution has just been opened, and is located at Spearfish, in the Black Hills, Lawrence County. It has an enrollment of fifty-three pupils, a very fair beginning. F. L. Cook is the principal, who at present has but one assistant. Another year will no doubt show much advancement in the special work of the Spearfish Normal.

The Dakota Deaf-Mute School.—This school, though not classed with those devoted to higher education, is deserving of special mention here. It is under the principalship of Professor Simpson, and many of the pupils in charge are making considerable progress. There are over thirty of these pupils now under instruction, and the number is increased as the good work of the school becomes better known.

HIGHER PRIVATE SCHOOLS.

Universities, colleges, and academic institutions, are becoming quite numerous in the Territory, the number being almost too great to give extended mention in this report.

The University at Mitchell.—This university is new, having been opened in September, 1885. It is under the management of the Methodist Episcopal Church, and is located at Mitchell. Rev. Dr. Bush is president.

Pierre University.—This institution is located at Pierre, on the Missouri River, and is under the auspices of the Presbyterian Church. It is now in its third year, and has seven instructors. Rev. W. M. Blackburn, D. D., is president. Thirty-five pupils are in attendance.

Yankton College.—This college is the oldest collegiate institution in the Territory. It was incorporated August 30, 1881, and was established by the General Association of Congregational Churches, May 25, 1881. The faculty consists of seven professors at this time, and 122 pupils are enrolled, twelve of whom are working in the college classes. Rev. Joseph Ward, D. D., is president. The site is a pleasant one, overlooking the city and the valley of the Missouri, and is noted for healthfulness.

The Dakota Collegiate Institute is located at Sioux Falls, and is under the control of the Baptist Association. It is well patronized, and is one of our successful institutions, but no report of its operations has been received at this office.

Other private institutions are the Plankinton Academy; Scotland Academy; the Groton Collegiate Institute; St. Joseph's Academy, at Fargo; St. Mary's Academy, at Bismarck; Academy of the Sacred Heart, Yankton; All Saints' School, Sioux Falls, and several others, from which I have received no report.

CARE OF INSANE.

The hospitals for the insane, one conducted on the old plan, and the other under the cottage plan, are successfully carried on, and with results as favorable to patients as in the older asylums of the East.

The superintendent of the hospital at Yankton, Dr. J. T. Cravens, says:

The number of patients in this hospital May 30, 1886, was 124, and the cost of maintenance (this includes the pay of employés) from December 31, 1884, to June 1, 1886, was \$4.77 per capita per week. The percentage of increase of admission for the same period was 22½, obtained as follows:

Admitted from December 1, 1882, to June 1, 1884:	
From south of 46th parallel.....	68
From north of 46th parallel.....	135
Total.....	153

The above does not exhibit the increase of the percentage of admission for the entire Territory, to determine which the number admitted to the North Dakota Hospital, less 58, transferred from this hospital from December 1, 1884, to June 1, 1886, should be added to our admissions for the same time, and the percentage obtained as before.

Dr. O. W. Archibald, superintendent of the hospital at Jamestown, says:

In view of the fact that the North Dakota Hospital for the insane is yet in its infancy, being but a little over a year in operation, I am constrained to refer and point to its youthful history and success thus far with feelings of pride and gratification.

The buildings as far as completed are constructed after the most careful plans, with a view to comfort, convenience, and solidity. They have been erected with a view to securing the best sanitary condition and with a strict idea to comfort and convenience in the care and treatment of the unfortunates whose mental derangement necessitates their retention here. The buildings are all separate and distinct, so that whilst more room, comfort, and privacy are secured between the sexes, any additions or extensions may easily be made in the future as desired or needed. That the institution must grow and expand in its usefulness is of course a foregone conclusion. Already the hospital is filled. During our first year in actual operation we have cared for 138 patients from North Dakota. Eighty-one of this number were admitted from counties during the year. In the next three years it is a modest estimate to allow an increase of 25 per cent. of inmates over and above the admissions of last year, which would make 100 new admissions for next year. Taking this as the probable per cent., it would be an addition of 375, making 513 inmates in all. Estimating the discharges at 30 for the first year, 40 for the second, and 60 for the third, or 130 in all, we would still have an average of over 380 to care for. Some provision should be made by the next legislature for the proper care of the natural increase in number.

In view of the fact that the appropriations made by the next legislature will be all that can be secured and utilized for the next three years, provision for at least four additional wards, having a capacity of 50 each, should be made by the next general assembly. It would seem better and more satisfactory, as well as economic in the end, for a public State institution to be ahead rather than behind in the matter of carrying out the object for which it is intended. Hence it would be better if our institution could possibly be found always a little in advance of its needs. Unless some such steps as are herein suggested are taken by the next legislature, we will find ourselves utterly unable to care for fully 400 patients who may reasonably be expected during the next three years. There were admitted from April 30, 1885, to June 30, 1886, 14 months, 138 patients. Number discharged, 22; number died, 5; total, 27; average cost of maintenance per annum, \$241.66.

The amount may seem a little large, but when we consider the small average number of 89 inmates for the year, the extraordinary expense of commencing a new institution where everything has to be bought, and nothing realized from garden or farm, and undergoing nearly the same expense for salaries of officers and employes (excepting a few additional attendants) as if we had five times the number, the average cost is low compared with older and long-established hospitals for the insane.

To show by comparison with 73 insane hospitals in the different States, I find after carefully examining the reports that the average cost per capita was \$240. These 73 hospitals have all the way from 180 to 1,800 inmates, which large numbers can be more cheaply supported than where we have only a limited number of less than one hundred patients with all the contingencies of organizing and establishing a new work of this kind.

THE PENITENTIARIES.

The following brief report from the warden of the Territorial penitentiary at Sioux Falls shows the condition of the prison June 30, 1886:

Number of inmates June 30, 1885	119
Number received to June 30, 1886	38
Total number of convicts during the year	157
Number of convicts during the year discharged	65
Remaining June 30, 1886	92
Discharged and how released:	
By expiration of time	19
By transfer to Bismarck penitentiary	35
By death (hemorrhage of lungs)	1
By removal to insane asylum	1
By pardon	7
By sentences commuted	2
Total number discharged	65
Average number during the year	89

By the completion of the female department, we have cell room for 144 males and 10 females. Of the 92 prisoners now confined, 89 are males and 3 females.

The average cost per convict per annum for the past year, including pay of officers, incidental, and expense of discharged convicts, is \$291.64. The average for same, including pay of officers, incidental, and expense of discharged convicts, would be \$144.40, or an average weekly cost, respectively, of \$5.51 and \$2.76. Cost of subsistence per convict per day, 18.73 cents.

The removal of 35 prisoners to the Bismarck penitentiary necessarily increased the expense per capita, as the cost of officers, lighting, heating, &c., cannot be reduced, and is maintained at an outlay sufficient for the care of our full capacity, viz, 154 inmates.

Nothing eventful has taken place during the past year. No escapes or attempts to escape. Insubordination or discontent among prisoners is noticeably absent, and, other than for a few trivial infractions of rules, punishment has not been resorted to.

The health of inmates is good, 75 per cent. of whom are engaged at stone and monumental work under contract; the balance are reserved for the tailor shop, kitchen, yard, and general prison work.

Discipline is well enforced.

This gratifying condition is largely due to policy I adopted soon after taking charge, of providing better and more food.

It was plainly apparent to me that much of the discontent prevailing at that time arose from empty stomachs.

While I am not lavish, I see that they get a variety and plenty of good wholesome food, dealt economically of course, but with no zealousness on my part of reaching the "minimum-cost theory," lest in achieving distinction in that line I might deplore an "Andersonville" notoriety. Neither do I think your excellency or the people of the Territory demand an economy that will draw upon the stomachs of their unfortunates. This subject on the management of wards is an important one, and from perusal of prison reports and other information gathered it is obvious that prisons vie with one another in presenting a minimum maintenance report as an evidence of economic administration. If a thorough analysis could be made, I am convinced that the discontentments, insubordination, and revolts would be traceable to this cause.

It gives me pleasure to state that in the government of prisoners, as well as in the management of the fiscal affairs, I have the full concurrence of the honorable board of directors.

AMOS F. SHAW,
Warden.

The warden of the North Dakota Penitentiary, at Bismarck, reports as follows:

In compliance with your letter of August 19, requesting that I furnish you with a statement of the number of prisoners received at the Bismarck Penitentiary, capacity of penitentiary, cost of support, &c., I respectfully submit the following:

Number of prisoners transferred from Sioux Falls, July 31, 1885	35
Number of prisoners received since from the courts of Northern Dakota	60
Number of prisoners handled	95
Number of prisoners discharged—	
By expiration of sentence	41
By commutation of sentence	1
By pardon from Governor	1
	43
Number prisoners now here	52
Average daily population has been 43.	
Capacity of prison, 72.	

The average cost of support, including pay of officers and guards, subsistence, clothing, fuel, physician and medicines, lights, incidentals, and repairs, and expense of discharging prisoners, has been 6.84 per man per week, or 97½ cents per man per day. The average cost for same, including pay of officers and guards, incidentals and repairs, and discharged prisoners, has been 2.78 per man per week, or 39½ cents per man per day. The average cost of subsistence has been 1.52 per man per week, or 21½ cents per man per day.

The discharged prisoners' account swells the total average considerably. This item has been much heavier than it would be ordinarily, by reason of the 35 short-time men transferred to this prison from Sioux Falls, the expense of discharging them having fallen on this institution during its first year. They are all discharged but one, and provided with the necessary transportation, clothes, and money.

It is hardly necessary to call attention to the fact that it costs just as much, in many respects, to run the institution with the small number of prisoners we had during the first year as it would have cost had the prison population been much larger. Hence the cost per capita for support of prisoners is necessarily higher than in larger prisons. An instance—fuel is a heavy item in the climate, and it cost just as much to heat the buildings when but half the cells were occupied as it would had they all been full. Again, the same number of guards could have handled a larger number of prisoners, &c.

In regard to the treatment and government of convicts, I adopted and have pursued a mild, humane policy; and find that the best results follow this course. The prisoner soon learns to understand and appreciate kind treatment by showing a desire to conduct himself in an orderly and obedient manner; so much so that up to the present time there has been no occasion for punishment more violent than verbal admonition. I also provide them with a variety of coarse but good, wholesome food. There were no revolts, nor attempts to escape, nor any deaths. The health of the prisoners has been very good so far. Have furnished such employment for them during the summer months as I could find. Have worked them on the prison grounds, surrounding roads, &c. But there seems to be nothing ahead for the winter but confinement.

The great need of this institution is employment for the prisoners. I find when employed they are more contented, have better health, and consequently are easier governed. Their time and minds should be occupied; otherwise, evil and serious results may follow.

Your obedient servant,

I. WILLIAMS,
Warden.

GROWTH AND DEVELOPMENT.

The development of the Territory for the past year can scarcely be better shown than by the following report of the commissioner of immigration, Hon. Lauren Dunlap. The office of commissioner was created by the last legislature, and its duties comprise, in addition to those ordinarily assigned to such a bureau, the collection of statistics regarding county and municipal indebtedness, the assessed valuation of real and personal property, the acreage of all kinds of grain, number of cattle, horses, and other live stock, and such information generally as pertains to the condition, growth, and development of the Territory. The present report is made too early to secure certain important information required of the commissioner, the statistics not having been fully collected as yet; but so far as the figures have been secured, the showing is very favorable.

IMMIGRATION.

The commissioner says:

The growth of Dakota during the past year has been very satisfactory, and the work of this office, as a bureau of information, has been an active campaign.

The demand for reliable information of an official character is very great, and may be largely increased at any time through the judicious use of printer's ink in inviting inquiries from all quarters where there are people to be interested and aided through the offer of a free or next to free home, and the many opportunities in life afforded at this time in the Western States and Territories.

The funds at the disposal of this office have not been sufficient to undertake the advertisement of Dakota on the large scale which it is believed would prove a most profitable investment to the Territory. With less than \$2,500 available for printing and publishing, out of a general-expense fund of \$4,000 for two years, little could be attempted outside of small pamphlet publications.

In order to maintain in a creditable manner the monthly bulletin of this office, at a time when special efforts were being made to induce immigration in a broad field of active competition, recourse was had, during the six months from December, 1885, to May, 1886, inclusive, to advertising patronage, by which the department was enabled to publish a pamphlet monthly, that cost during that time more than the entire sum available for printing purposes for the full period of two years.

These official publications are found to serve an excellent purpose in many ways, on the one hand answering inquiries and supplying information, and also in carrying this information abroad and awakening interest in Dakota in new quarters.

A valuable auxiliary of the bulletin has been a map of the Territory, showing the two general divisions of Dakota, the land districts, Indian reservations, railroads,

counties, and towns. Two editions of this map, of 10,000 each, have been issued up to this time.

A considerable number of extra copies of the governor's report for 1885 were ordered from the Public Printer, and have been used to good advantage in special cases.

The railroad companies have not only cheerfully undertaken the distribution of as many copies of the publications of this office as have been furnished them for the purpose, but have very generously supplied my document table with large quantities of their own printed matter, descriptive of different sections of the Territory. I have found these pamphlets very valuable in instances where special information was requested about some portion of the Territory in particular, and where supplies of a general character were wanted for the use of parties engaged in colony organization or making inquiries on behalf of others as well as themselves.

The total number of copies of the publications of this office amount to 75,000, of which about 9,000 remain on hand at the present time.

In all, nearly 100,000 pamphlets, circulars, and maps have been distributed, and 1,500 letters written, in promoting the interests of immigration through the application of such means as this office has had at its disposal and command.

While the Western and Middle States continue to furnish a good majority of the new-comers to Dakota, it is worthy of note that a larger proportion than usual of the emigration secured this year comes from Eastern and New England States and Canada.

The work of the department has been confined almost entirely to the United States and Canada. Some advertising matter has been sent to England and several continental countries, but no systematic effort to encourage foreign emigration has been possible in the absence of the necessary means for the purpose.

The foreign emigration other than from Canadian sources for the past year has been comparatively small, the Scandinavian countries furnishing the greater number.

Colony projects, which have been very numerous this spring and summer, have received to the fullest extent possible the encouragement and assistance of this office, and have invariably proved successful as far as heard from, in various portions of the Territory.

PUBLIC LANDS SETTLEMENT.

The business transacted at the ten United States land offices in Dakota for the year ending June 30, 1886, is given in the table appended to this statement.

There were 22,431 new filings during this period under the three general land laws as follows: Homesteads, 7,466; pre-emptions, 7,894, and tree-claims, 7,071.

The area newly filed on during the year named was 3,565,366 acres.

There were 9,962 final proofs made during the same year, of which 6,657 were cash entries, 3,030 final or perfected homestead entries, and 275 timber-culture proofs. Or the cash entries, there were 5,140 proofs made under the pre-emption law and 1,517 commuted homesteads. The area acquired by final proof and cash entry during the year was 1,404,030 acres, and that purchased by land scrip, 12,316 acres.

The sales of land by the Northern Pacific Railroad Company in North Dakota for the last six months in 1885 were 112,310 acres, and may be estimated at 250,000 acres for the year ending June 30, 1886. These sales were very generally made to settlers in accordance with the policy adopted by that company with respect to the agricultural lands in its land grant within the Territory.

The sales of private lands to settlers in different portions of the Territory for the same period can only be estimated in the rough, but will be put at 350,000 acres, which is 10 per cent. of the area of Government land filed on, the basis taken being one purchaser of deeded land for every ten entrymen on the public domain, among the new-comers to the Territory for the stated period.

The grand total of lands newly filed on and purchased by immigrants for settlement for the year in question may safely be estimated at over 4,000,000 acres, or 6,250 square miles, an area, considered in a solid body, as large as the Aberdeen land district in South Dakota, and larger by 320 square miles than the combined area of the States of Connecticut and Rhode Island.

INCREASE OF POPULATION.

The number of homestead and pre-emption filings alone during the year ending June 30, 1886, was 15,362, representing a population of three times that number, or about 45,000 souls.

In estimating the increase in population from settlement on the public domain, it is necessary to consider the squatters on unsurveyed lands. This class is most numerous at the present time in the Devil's Lake and Deadwood (Black Hills) districts. It is difficult to arrive at correct figures, but from all the information in possession of this office I would say that about 6,000 persons, including the families of squatter-claimants, took up their residence on unsurveyed lands in the Territory during the stated twelve months.

The gain in population from the sales of land to new-comers may be estimated in round numbers at 5,000, on the basis of a family of three to every 320 acres of the lands sold.

The number of births during the same period may be estimated at 15,000, the births during the census year previous having been 13,171.

A moderate estimate of the gain in population by immigration from other sources than enumerated above, comprising people who have not taken up land and including laborers, miners, mechanics, business and professional men, would be 15,000.

The total increase in population of the Territory for the year ending June 30, 1886, may safely be estimated at 85,000, giving Dakota a population on that date of fully 500,000.

DEVELOPMENT AND RAILROAD BUILDING.

The rapid development of Dakota, the growth by accumulation and through the industry and enterprise of her people, is the splendid spectacle held up to view as an incentive to immigration of the class which brings capital with it, not money to loan on most ample farm securities, or on chattels at ruinously high rates of interest, but to invest in living improvement. The present era of town building, which is fast transforming the prairie towns hardly half way, on an average, toward their teens, into ambitious young cities of brick and mortar, is attracting this class of immigration, and the prospects for the future are the very brightest.

The railroad continues to be the pioneer of civilization in Dakota.

The railways were built into the Territory when its vast plains were of a reality a barren wilderness, and now that the settlement and development of Dakota, north and south, have shown the wisdom and foresight of that first step across the agricultural frontiers, they are still found at the front, pushing their lines of communication into the interior, and perfecting by degrees the strong network of the various systems of railway which are to contribute so largely to making each half of the present Territory resemble Iowa.

The railroad building of 1886 bids fair to be much greater than for any previous year in the history of the Territory.

In North Dakota the Saint Paul, Minneapolis and Manitoba Railway is building nearly 200 miles of road in the Devil's Lake, Big Coulee, Turtle Mountain, and Mouse River country. In addition to the above, the Manitoba company will build about 100 miles on lines extended from Minnesota points into the central part of the Territory. A line into the southeastern part of Dakota is also in contemplation by this company.

The Chicago, Milwaukee and Saint Paul Railway is at work on a number of lines and branches in Central and Southern Dakota; with two projected extensions into North Dakota, that will add in all between 200 and 300 miles of track during 1886.

The Chicago and Northwestern Railway is building extensions from several points on its lines in Central Dakota. One of these extensions reaches into North Dakota, in the James River Valley, where a junction will be made with the Northern Pacific Railroad, the latter building southward for a distance of about 50 miles.

The Northwestern Company will build between 100 and 150 miles this season.

There are numerous other railroad enterprises both in North and South Dakota, several of which are now taking shape and promise substantial developments before snow flies. The early completion of a direct line of railway to the capital of the Territory from South Dakota is one of the most important enterprises among the number.

The most important achievement of the year up to this time has been the construction of the first railway into the Black Hills region, the Fremont, Elkhorn and Missouri Valley Railroad having been completed to Rapid City early in July last.

It is too early yet to attempt a revision of the railroad map of the Territory published by this office, which is designed to show only the lines of railway as completed and in actual operation.

Favorable conditions from this time forward until winter fairly sets in may still further increase the construction of 1886, now estimated at 800 miles of road.

THE BLACK HILLS.

The building of the railroad to Rapid City, coupled with the assurance of an extension of this line on farther around and into the hills, and the building at an early day of other lines of railway, has fairly brought the attention of the country to the Black Hills, the richest corner of the kingdom, an area of little more than 6,000 square miles, and yet a world in itself, possessing every variety of mineral and other resources, which as yet remain largely undiscovered to the world outside.

There has been but little development to speak of, even of the gold mines, the few now in successful operation comprising but a small proportion of the valuable properties known to be in existence and awaiting development.

The silver camps, at Carbonate and Galena, are not half prospected as yet, and are on the eve of an excitement and activity, in the original production of wealth, that promises to rival Leadville.

The tin discoveries are very naturally at this time awakening greater interest and inquiry than the precious minerals. Active operations have been commenced, the

necessary capital secured, and the early development of the tin mines would seem to be assured beyond a doubt.

The petroleum found in the Wyoming Hills is said to be fully equal to the best oil produced in Pennsylvania. A number of companies have been organized and wells are now being bored in the oil district, which comprises a considerable area in the western rim of the hills.

In the same vicinity there is salt in abundance, which is already finding its way into market.

There are extensive mica mines awaiting the further development which the railroad assures; there is asbestos in large quantities, and copper mines waiting for the future; besides zinc and saltpetre, now too cheap to be developed at their present disadvantage of location.

The Black Hills has its greatest mine of wealth, perhaps, in the almost inexhaustible supplies of building material of all kinds which are found on every hand. The magnificent pine lumber, the marble, sandstone, and other building stone of great beauty and durability, and the lime, gypsum, and brick clays which are contained in these hills would rebuild all the cities and towns of Nebraska and Dakota together.

The agricultural capabilities of the Black Hills are of the highest order. The valleys and parks lying within the hills contain the best of soil, and the ranges of the hills afford a natural pasture for cattle and horses.

The sublime scenery found among the peaks and pine-clad hills, the curious formations in slate, porphyry and limestone, and the natural parks, is another point of attraction, which to the tourist must before long constitute a leading and powerful charm, to be developed through the enterprise of railroads and the people most interested, into a prolific source of revenue.

The Dakota Hot Springs, situated in Fall River County, in the Southern Hills, in the extreme southwestern part of the Territory, are just about to come into the prominence they deserve, the railroad making them accessible by a 12-mile ride by stage, and a fine hotel having been erected this season for the accommodation of invalids and tourists.

The waters of the principal springs have a temperature of 95°, and are much like waters of several famous German hot springs, as attested by the remarkable cures already effected by their use at the bath and taken inwardly. Cases of rheumatism, and diseases of the blood and skin, which for years have baffled medical skill, have been entirely cured within a few weeks by the simple use of these waters, unaided by any other medical treatment.

The immigration to the Black Hills since a year ago has been considerable, the population of the mining camps and towns having been increased by some thousands.

THE DAKOTA WEATHER SERVICE.

The organization of the Dakota weather service in connection with this office was undertaken about a year ago through the kind co-operation of the Chief Signal Officer, U. S. Army.

The beginning has only been made in an enterprise which promises gratifying results in several directions.

The nine stations reporting to this office are situated and described as follows:

Locality.	Latitude.	Longitude.
Misouri Valley:		
Yankton.....	42 45	97 3
Huron.....	44 21	98 90
Fort Sully.....	44 30	101 44
Northern slope:		
Deadwood.....	44 23	103 43
Extreme northwest:		
Moorhead, Minn.....	46 51	96 50
Saint Vincent, Minn.....	49 00	97 00
Bismarck.....	46 48	100 38
Fort Buford.....	48 30	103 58
Fort Totten.....	47 57	98 57

The monthly reports furnished this office are made good use of in the publications of the Department, by way of adding the statistics of the weather to the other information sent abroad respecting the soil, climate, &c., of Dakota.

The actual rainfall, with the exact facts about the distribution of rainfall and other characteristics of the weather as it is experienced, are laid before the reader, who is asked to take very little for granted on this head.

The text accompanying the tables published every month is prepared with the view of cultivating a more general interest in their subject matter, giving prominence to those climatic conditions in Dakota which furnish such strong arguments

in its favor as an agricultural region and a healthful and agreeable place of residence.

The transmission of daily weather forecasts by wire from Washington, for the benefit of farmers and citizens of the Territory, is another practical branch of the service which is just being introduced.

These daily indications are now furnished for Eastern Dakota, and are repeated at several points from the Huron station.

It is designed and hoped at an early day to extend the system of posting these predictions and displaying the signal flags of the United States Signal Service at a number of places in different portions of the Territory.

It will be necessary to secure the interest and appreciation of the farmers and others who are to be directly benefited, as well as the co-operation of the railroad companies, whose wires would have to be used in repeating the daily messages, in order to bring the service up to the standard of usefulness, which it is trusted will be successfully attained in time.

Table showing the public land entries in Dakota for the year ending June 30, 1886.

Districts.	Homestead filings.	Pre-emption filings.	Timber-culture filings.	Commuted homestead proofs (cash entries).	Final homestead proofs.	Pre-emption proofs (cash entries).	Timber-culture proofs.	No. acres newly entered.	No. acres acquired by final proof and cash entry.	No. acres acquired by land scrip.
Yankton.....	259	189	192	178	417	338	87	94,744	145,665	200
Mitchell.....	538	410	617	280	643	472	69	224,677	149,434	.....
Watertown.....	926	1,084	766	175	704	642	105	459,215	250,588	680
Huron.....	1,252	1,000	1,210	360	224	827	.....	546,729	198,690	6,184
Aberdeen.....	1,265	1,231	916	188	85	891	.....	590,300	169,253	1,240
Deadwood.....	426	1,038	498	54	126	435	.....	312,616	84,717	120
Fargo.....	1,016	596	818	87	534	354	8	301,172	148,704	2,684
Grand Forks.....	561	721	532	142	232	643	3	284,084	167,489	.....
Devil's Lake.....	505	858	687	36	9	378	.....	325,104	55,804	48
Bismarck.....	718	767	635	17	56	160	3	366,725	33,596	160
Total.....	7,466	7,894	7,071	1,517	3,030	5,140	275	3,565,366	1,404,030	12,816

AN INDICATION ON GROWTH.

A very good idea of the growth of the Territory is furnished by the records of the Territorial auditor's office, showing the increase in the business of insurance by the various companies operating in the Territory.

The auditor furnishes the following facts and figures:

	1884.	1885.	Increase.	Percentage of increase.
Foreign life companies:				
Risks written.....	\$2,134,508	\$5,938,045	\$3,803,537	181
Premiums received.....	86,576	88,530	1,954	2 1/2
Losses paid.....	20,837	33,440	12,583	60
Foreign fire companies:				
Risks written.....	26,856,654	35,362,445	8,505,791	32
Premiums received.....	569,797	723,837	159,040	28
Losses paid.....	399,287	391,378	52,091	15
Dakota fire companies:				
Risks written.....	9,306,654	12,819,475	3,512,821	37
Premiums received.....	102,522	450,372	327,850	319
Losses paid.....	64,867	139,732	74,865	115
Total fire business:				
Risks written.....	36,163,308	48,181,020	12,018,612	33
Premiums received.....	672,319	1,159,209	486,890	71
Losses paid.....	404,154	531,110	126,956	31

NOTE.—There is no report made for 1885 by any life-insurance company organized in the Territory, and therefore comparisons cannot be drawn between the transactions for the two years.

For reasons already stated, it is impossible to make comparisons of the business of 1885 with that of 1884, so far as the Dakota fire companies are concerned; but an inspection of the figures of foreign fire companies shows that there has been a slight reduction in the average rate charged for insurance. In 1834 the foreign companies took risks amounting to \$27,000,000, for which they were paid \$570,000—an average of \$2.11 on each \$100. In 1885 they took \$35,000,000 in risks for \$729,000—an average of \$2.08 on each \$100.

All the fire companies, both foreign and Territorial, did a business of \$1,160,000 in premium receipts in Dakota in 1885, and the total of losses paid was \$531,000, leaving a surplus of \$629,000 (54 per cent.) for expenses and profits. It is ordinarily figured that it costs about 30 per cent. for the expenses, and this, therefore, leaves the companies 24 per cent. for profit on their Dakota business for 1885.

Following is a comparison of Dakota business of all fire companies for 1885 with that of some of the States for the same year, showing the per cent. of surplus of premium receipts over losses paid: Dakota, 54; Missouri, 45; Illinois, 44; Connecticut, 43; Michigan, 42; New York, 41. This demonstrates that Dakota is a particularly profitable field.

In this connection reference may be made to the fact that the opinion has been expressed by some of the most observant insurance officials of the country that there is no commonwealth in which the moral hazard is better than in Dakota, and that it is very much better than in a large proportion of the States. That is to say, their experience has shown that incendiaryism, carelessness, and other features of hazard not directly included in the condition of the property insured, are much less in Dakota than in several of the States, and that none of them show a better record in this respect.

THE OCCUPANCY OF SCHOOL LANDS.

In July last Mr. J. W. Scott, an occupant of school lands in Grand Forks County, tendered a draft of several hundred dollars to the Territorial superintendent of public instruction as rental for the section thus occupied. The superintendent referred the case to me for instruction, and I in turn submitted it to the Department of the Interior. The question of the occupancy of these lands is a matter of such general interest that I incorporate the correspondence in this report:

TERRITORY OF DAKOTA, EXECUTIVE OFFICE,
Bismarck, July 22, 1886.

DEAR SIR: Certain persons occupying sections or parts of sections of school lands in this Territory have tendered money to the superintendent of public instruction as rental therefor. I know of no law authorizing him to accept such payment, nor do I know any regulation forbidding such acceptance. The question of whether the acceptance of a tender would bar or hazard any right of the Territory, however, is important, and I would thank the Department for advice and instructions upon the subject. I had hoped that Congress would do something towards protecting these lands from occupancy, save under well-defined regulations, the present law seeming inadequate; but there appears to be no prospect of such action at this session. I assure you, however, that any steps which the Department of the Interior can take to preserve the lands against trespassers will be gratefully recognized by the people of the Territory.

I am, very respectfully, your obedient servant,

GILBERT A. PIERCE.

Hon. L. Q. C. LAMAR,
Secretary of the Interior, Washington, D. C.

In reply to this inquiry the following communication was received from the Commissioner of the General Land Office through the office of the Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., August 31, 1886.

SIR: I am in receipt, by departmental reference, for report, of a letter herewith returned, from Gilbert A. Pierce, governor of Dakota, dated July 22, 1886, requesting to be advised as to the propriety of receiving money tendered to the superintendent of public instruction as rental for school sections, and in reply I will confine myself to certain points worthy of consideration by the Territorial authorities in connection with the question as to whether such tenders should be accepted. The fee to the

sixteenth and thirty-sixth sections in Dakota is in the United States; merely a reservation of the same for school purposes was made by the act of March 2, 1861. I have reference to the lands in such sections that have not been entered by parties as settlers, who made settlement prior to survey, as allowed by law.

By accepting the payments offered, the said authorities would be in the attitude of accepting a gratuity—a rental for lands not the property of the Territory not authorized to be received by law of Congress—and the practice would be calculated to encourage tenants to claim immunity from the operations of the statutes passed to prevent trespass on the public lands. It is not certain that, should Dakota be admitted as a State, the tenants would, in all cases, be able to obtain title, were the lands rented. In making grants for school purposes Congress, in most instances, has prescribed no method of disposal of the lands for the school funds, but has left the manner of selling them and the price thereof to be regulated by the State legislature; but in Colorado, for instance, a method of disposal of the lands was prescribed in the granting act, fixing the minimum price thereof at \$2.50 per acre, and providing for the public sales of the same and use of the interest on the fund thus created for the support of common schools. It will be perceived that, were the latter plan adopted, a poor man making a home on a school section would have very little chance of purchasing the same against the bidding of capitalists.

Respecting the occupation by parties of school sections, referred to in the governor's letter, I would state that such lands in the Territory, being reserved upon survey, are not thereafter subject to appropriation by any person, and the only practical question that comes before this office regarding them is the advisability of commencing prosecutions against persons who unlawfully inclose or depredate upon the same. Prosecutions are not recommended against bona fide settlers who go upon such lands with a view of ultimately purchasing from the State, when admitted, and a grant thereto shall have been made, but only in cases where parties are despoiling the land of its timber or other valuable product, or when persons, firms, corporations, or combinations are usurping the use of such lands, unlawfully inclosing them, or otherwise dominating their control to the public injury and the deprivation of the rights of others; and should information be furnished this office that specific sections of these reserved lands are being thus unlawfully occupied or despoiled, such action will be taken as the information may warrant.

Very respectfully,

S. M. STOCKSLAGER,
Acting Commissioner.

Hon. L. Q. C. LAMAR,
Secretary of the Interior.

The danger that tenants by paying rents would thereby be encouraged to claim immunity from the Statute to prevent trespassing, is of course sufficient reason for declining to receive rental for these lands. But if all embarrassment of this kind was obviated by provisions of law setting forth the exact terms upon which lands belonging to the school fund could be occupied and cultivated, it would operate to the material advantage of the Territory. There are thousands of acres of school lands in Dakota which have been farmed for more than a dozen years. Constant cultivation exhausts the soil more or less, and it certainly appears only fair that those who enjoy the benefit of these lands should at least turn into the Territorial treasury, which is to be the ultimate beneficiary, an amount equal to the waste and deterioration resulting from such occupancy. Even a nominal sum paid as rental by such tenants, would be in the aggregate, a substantial help to the school fund. Such a regulation would not interfere with the very just conclusions of the Honorable Commissioner that the bona fide settlers on these lands who are intending to purchase them when they are placed in market, should not be prosecuted, but would permit them to occupy the lands under color of law and not as now, as technical trespassers.

FEDERAL APPROPRIATIONS FOR PUBLIC BUILDINGS.

So far as I know, the National Government has never made an appropriation for any Territorial building in Dakota. Iowa, Nebraska, Kansas, Minnesota, Colorado, Nevada, Oregon, and other States, received,

while in a Territorial condition, assistance from Congress to aid in the construction of their capitol and other buildings, the amounts varying from twenty-five to fifty thousand dollars. Dakota has expended a large sum in this direction, for a young community, the total outlay for public improvements, including cash and lands, being upwards of a million dollars. I call attention to this fact in the hope that Congress may see proper to extend its generosity to this Territory. Accommodations for the United States courts are now furnished by the various counties where sessions are held, and the Territorial officials, representing the National Government, occupy offices built by private subscription and furnished by the liberality of the Territorial legislature.

THE TERRITORIAL LIBRARY.

I particularly direct attention in this report to the Territorial library. For many years the books of this library were kept in the unsafe and inadequate quarters occupied by the Territorial officials, and many volumes of the few sets furnished by other States and by the General Government, and which included the United States Statutes and the laws and reports of the United States and State courts, were lost or carried away. When the books were placed upon the shelves in the present quarters very few sets remained unbroken. Arrangements are now made for the care and preservation of the library, and I respectfully suggest that the aid heretofore extended to Territories in this direction be furnished to Dakota, or at least that authority be given the Government officials to complete the broken sets of such publications as are issued by the authority of Congress.

CONCLUSION.

I have nothing to add to my former reports relative to the admission of the Territory to the Union. The subject has been so thoroughly discussed in Congress and out of it that its condition is very generally and very thoroughly understood. If any additional evidence of the capacity and fitness of the Territory for Statehood were needed, this evidence would be furnished by the tables contained in the report of the superintendent of public instruction, in the augmented population so abundantly evidenced by the figures furnished by the commissioner of immigration, and in the material development exhibited by an increase of nearly \$25,000,000 in the value of property assessed for taxation since the date of my last report to the Department. I take it for granted, however, that no proof is required that Dakota is possessed of all the qualifications which will entitle her to membership in the Union. This is confessed everywhere and by every one. And it is scarcely less palpable that the requisites are here for two States if Congress chooses to authorize the division. I have so often discussed this question, and the arguments pro and con are so familiar to the public, that I shall not occupy space in going over the subject. I renew my recommendation, however, and most earnestly, that this great people be no longer kept from their rightful heritage, but be permitted a share and a voice in that Government they honor by their public spirit and sustain by their industry.

I am, very respectfully, your obedient servant,

GILBERT A. PIERCE,
Governor Dakota Territory.